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P&G Case 8258X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :
Lin *et al.* : Confirmation No.: 3953
Serial No.: 09/965,113 : Group Art Unit: 1761
Filed: September 26, 2001 : Examiner: L. T. Tran
For: IMPROVED EMULSIFIER SYSTEMS FOR USE IN MAKING
DEHYDRATED STARCH INGREDIENTS

APPELLANTS' BRIEF ON APPEAL

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Appeal is taken from the Final Office Action dated October 7, 2005, finally rejecting Claims 1-5, 7-12, and 38-41 of the present application. Appellants appealed to the Board of Appeals on January 6, 2006. The two month anniversary of this Appeal fell on a Saturday, and as such, a one month extension is believed required and a request is filed herewith.

REAL PARTY IN INTEREST

The real party in interest is The Procter & Gamble Company, assignee of Appellant's entire right, title, and interest in the invention at issue. The Assignment to the Procter & Gamble Company for this case is recorded at the Patent and Trademark Office at Reel 012575 and Frame 0242.

RELATED APPEALS AND INTERFERENCES

Appellant, Appellant's undersigned legal representative and the Assignee are not aware of any pending appeals or interferences that would be directly affected by or have a bearing on the Board's decision in the subject Appeal.

STATUS OF CLAIMS

Claims 1-5, 7-12, and 38-41 are the subject of this appeal. No other claims are pending or allowed. Claims 6 and 13-37 were cancelled during prosecution. Claims 1-5, 7-12, and 38-41

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